



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/672,508	09/26/2003	Paul W. Coleman	MSFT4	3534
27488 7590 01/25/2007 MERCHANT & GOULD (MICROSOFT) P.O. BOX 2903 MINNEAPOLIS, MN 55402-0903			EXAMINER RUTLEDGE, AMELIA L	
			ART UNIT	PAPER NUMBER
			2176	
			MAIL DATE	DELIVERY MODE
			01/25/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

Interview Summary	Application No. 10/672,508	Applicant(s) COLEMAN ET AL.	
	Examiner Amelia Rutledge	Art Unit 2176	

All participants (applicant, applicant's representative, PTO personnel):

(1) Amelia Rutledge -USPTO. (3)_____.

(2) Murrell Blackburn - applicant's representative. (4)_____.

Date of Interview: 04 January 2007.

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.
If Yes, brief description: _____.

Claim(s) discussed: 1-15, 17-19 and 21-24.

Identification of prior art discussed: Bobby, Nentwich, Kondoh.

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Compared the proposed claim amendments to the prior art of record. It appears that the proposed amendments to claims 5, 7, 9, and 10 would overcome the prior art of record. Further consideration of the amended limitations of claims 1 and 13 and the prior art of record would be required.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.


Examiner's signature, if required

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

571-273-7508

404-954-5099

PTOL-413A (09-04)
 Approved for use through 07/31/2008. OMB 0651-0031
 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Applicant Initiated Interview Request Form

Application No.: 10,672,508 First Named Applicant: Coleman
 Examiner: Rutledge Art Unit: 2176 Status of Application: Non-Final

Tentative Participants:

(1) Ex. Amelia Rutledge (2) Murrell Blackburn
 (3) _____ (4) _____

Proposed Date of Interview: JAN 4, 2007 Proposed Time: 2pm (AM/PM)

Type of Interview Requested:

(1) ☒ Telephonic (2) ☐ Personal (3) ☐ Video Conference

Exhibit To Be Shown or Demonstrated: ☐ YES

NO

If yes, provide brief description: _____

Issues To Be Discussed

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) <u>103</u>	<u>1,5,9,13</u>	<u>Bobby</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) _____	<u>17</u>	<u>Duggan</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) _____	<u>15</u>	<u>Kondott</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) _____	_____	<u>Nestwich</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Continuation Sheet Attached

Brief Description of Arguments to be Presented:

See attached proposed amendments
EXAMINER suggestions are also welcome

An interview was conducted on the above-identified application on _____.

NOTE: This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

Murrell W. Blackburn
 Applicant/Applicant's Representative Signature

Examiner/SPE Signature

Murrell W. Blackburn
 Typed/Printed Name of Applicant or Representative

50,881
 Registration Number, if applicable

This collection of information is required by 37 CFR 1.133. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

S/N 10/672,508

PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Paul W. Coleman et al. Examiner: Amelia L. Rutledge
Serial No.: 10/672,508 Group Art Unit: 2176
Filed: September 26, 2003 Docket No.: 60001.0396US01/MS303915.1
Title: METHOD FOR WEB PAGE RULES COMPLIANCE TESTING

CERTIFICATE UNDER 37 CFR 1.6(d):

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on December ____
2006.

By: _____

Name: Selina Moore

PROPOSED AMENDMENT & RESPONSE

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

In response to the Final Office Action mailed October 10, 2006, please amend the
above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims that begins on page 2 of
this paper.

Remarks begin on page 8 of this paper.

Application Serial No. 10/672,508
Attorney Docket No. 60001.0396US01/MS303915.1

PROPOSED FOR INTERVIEW PURPOSES ONLY Amendments to the Claims:

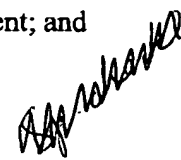
This listing of claims will replace all prior versions and listings of claims in the application.

Listing of Claims:

1. (Currently amended) A computer-executable method of testing a hypertext document for compliance with a selected criterion, the method comprising:
 - accepting a user selection of the selected criterion and user input of at least one parameter indicative of compliance with the selected criterion for an analysis of the hypertext document;
 - performing the analysis of the hypertext document and generating analysis data, the analysis data comprising an indication of whether the hypertext document is in compliance with the selected criterion;
 - correcting a definable error by presenting the analysis data to an application program;
 - storing the analysis data and the link information for the hypertext document; and
 - presenting at least a portion of the analysis data to the user;

wherein the selected criterion involves at least one of the following:

 - finding outdated material;
 - finding offensive material;
 - a name change; and
 - finding copyright violations.
2. (Currently amended) The method of claim 1 wherein ~~the step of~~ accepting a user selection further comprises accepting a user designation of the hypertext document to be analyzed.
3. (Currently amended) The method of claim 1 wherein ~~the step of~~ accepting a user selection further comprises accepting a user designation of the number of link levels from the hypertext document to be analyzed.



Application Serial No. 10/672,508
Attorney Docket No. 60001.0396US01/MS303915.1

4. (Currently amended) The method of claim 1 ~~[[and]]~~, after ~~the step of~~ performing the analysis, further comprising:

examining the hypertext document for a link to another hypertext document; and

performing the analysis of the other hypertext document and generating analysis data, the analysis data comprising an indication of whether the other hypertext document is in compliance with the selected criterion;

wherein the step of storing the analysis data further comprises storing the analysis data for the other hypertext document; and

wherein presenting at least a portion of the analysis comprises presenting compiled summary information based on the selected criterion about a collection of hypertext documents comprising the hypertext document and the other hypertext document thereby identifying what criterion is most problematic with the collection.

5. (Currently amended) A method of testing a hypertext document for compliance with a selected criterion, said method comprising:

accepting a user selection of the selected criterion and a user input at a client terminal, the user input having at least one parameter indicative of compliance with the selected criterion for an analysis of the hypertext document;

transmitting the user selection and the user input to a server, the server having a rules engine component for analyzing the hypertext document based on the user selection and the user input;

performing the analysis of the hypertext document at the server and generating analysis data, the analysis data comprising an indication of whether the hypertext document is in compliance with the selected criterion; ~~[[and]]~~

presenting the analysis data to an application program to correct a definable error in the hypertext document; and

presenting at least a portion of the analysis data to the user at the client terminal;

wherein the selected criterion involves at least one of the following:

finding outdated material;

finding offensive material;

Application Serial No. 10/672,508
Attorney Docket No. 60001.0396US01/MS303915.1

detecting undesirable links;
spell checking;
a name change; and
finding copyright violations.

6. (Currently amended) The method of claim 5 wherein ~~the step of~~ accepting a user selection further comprises accepting a user designation of the hypertext document to be analyzed.

7. (Currently amended) The method of claim 5 wherein ~~the step of~~ accepting a user selection further comprises accepting a user designation of the number of link levels from the hypertext document to be analyzed; and

wherein each link on the hypertext document is examined to detect whether each link is undesirable wherein undesirable links include at least one of the following:

a link to an external website;
a link to a pornographic website; and
a link to sensitive company records including at least one of the following:
personnel data;
research data; and
financial data.

8. (Currently amended) The method of claim 5 and, after ~~the step of~~ performing the analysis, further comprising:

examining the hypertext document for a link to another hypertext document; and
performing an ~~[[the]]~~ analysis of the other hypertext document at the server and
generating analysis data, the analysis data comprising ~~[[an]]~~ indication of whether a collection of the other hypertext document and the hypertext document is in compliance with the selected criterion.

Application Serial No. 10/672,508
Attorney Docket No. 60001.0396US01/MS303915.1

(9) (Currently amended) A method of testing a hypertext document for compliance with a selected criterion, said method comprising:

- accepting a user selection of the selected criterion and a user input at a client terminal, the user input having at least one parameter indicative of compliance with the selected criterion for an analysis of the hypertext document;
- performing the analysis of the hypertext document and generating analysis data, the analysis data comprising an indication of whether the hypertext document is in compliance with the selected criterion;
- transmitting the analysis data to a server,
- presenting the analysis data to an application program to correct a definable error; and
- storing the analysis data at the server in a non-volatile memory;

wherein the at least one parameter comprises one of the following:

- correct spelling of a word when the selected criterion involves spell checking;
- relevant text, sound, or figures when the selected criterion involves finding

copyright violations;

- acceptable links when the selected criterion involves detecting undesirable links;
- a previous name when the selected criterion involves a name change; and
- updated text when the selected criterion involves outdated material.

10. (Currently amended) The method of claim 9 wherein ~~the step of~~ accepting a user selection further comprises accepting at least one of the following:

- a user designation of the hypertext document to be analyzed;
- a user designation of a number and type of tests that will be performed;
- a user designation of one or more types of links that are acceptable; and
- a user designation of whether the tests will be performed offline or online;

wherein the analysis is performed online or offline.

11. (Original) The method of claim 9 wherein the step of accepting further comprises accepting a user designation of the number of link levels from the hypertext document to be analyzed.

Application Serial No. 10/672,508
Attorney Docket No. 60001.0396US01/MS303915.1

12. (Original) The method of claim 9 and, after the step of performing the analysis, further comprising:

examining the hypertext document for a link to another hypertext document;

performing the analysis of the other hypertext document and generating analysis data, the analysis data comprising an indication of whether the other hypertext document is in compliance with the selected criterion; and

transmitting the analysis data for the other hypertext document to the server;

wherein the step of storing the analysis data further comprises storing the analysis data for the other hypertext document at the server in the non-volatile memory.

13. (Currently amended) A server operational to test a hypertext document for compliance with a selected criterion, comprising:

a user interface operational to receive a user selection of the selected criterion and user input of at least one parameter indicative of compliance with the selected criterion for an analysis of the hypertext document; and

a processor component operational to retrieve the hypertext document, to perform the analysis of the hypertext document, to examine the hypertext document to identify links to other hypertext documents, to generate analysis data, to present the analysis data to an application program to correct a definable error, and to store the link information for the hypertext document, and the analysis data, the analysis data comprising an indication of whether the hypertext document is in compliance with the selected criterion;

wherein the selected criterion involves at least one of the following:

finding outdated material;

finding offensive material;

a name change; and

finding copyright violations.

14. (Original) The server of claim 13 further comprising a non-volatile memory operational to store the analysis data and the link information for the hypertext document.

Application Serial No. 10/672,508
Attorney Docket No. 60001.0396US01/MS303915.1

15. (Currently amended) The method of claim 4, further comprising:
prompting a user to specify whether to store copies of the hypertext documents;
copying the hypertext documents; and
storing the copies of the hypertext documents thereby providing a snapshot of
each hypertext document at a point in time of analysis.

16. (Canceled).

17. (Currently amended) The method of claim 4, further comprising terminating the
analysis in response to a predetermined number of hypertext documents being analyzed
independent of whether any specified link level has been reached.

18. (Previously presented) The method of claim 15, further comprising storing a
record of each hypertext document accessed for analysis to prevent previously accessed
hypertext documents from being accessed and stored again due to being referenced by another
hypertext document.

19. (Currently amended) The method of claim 1, wherein the selected criterion
further involves verifying that each figure on the hypertext document includes associated text
and wherein accepting the user input of at least one parameter indicative of compliance with the
selected criterion comprises accepting user input of at least one of the following:
correct spelling of a word when the selected criterion involves spell checking;
a previous name when the selected criterion involves a name change; and
associated text a reference to an image file type and alternate text when the selected
criterion involves a requirement that each figure on the hypertext document include [[the]]
associated text.

20. (Canceled).

Application Serial No. 10/672,508
Attorney Docket No. 60001.0396US01/MS303915.1

21. (Currently amended) The method of claim 1, further comprising:
suggesting a correction to an indefinable error to a user such that the user may review and
approve or disapprove the correction[[:]].

22. (Currently amended) The method of claim 1, further comprising:
prompting a user for a correction to an indefinable error such that the user may input the
correction.

23. (New) The method of claim 1 wherein performing the analysis of the hypertext
document comprises analyzing a hypertext document written in one of the following languages:
extensible markup language; and
extensible hypertext markup language.

24. (New) The method of claim 1 wherein the selected criterion further involves
detecting whether text colors and background colors comply to avoid accessibility issues for
color-blind users.

Application Serial No. 10/672,508
Attorney Docket No. 60001.0396US01/MS303915.1

PROPOSED REMARKS

Reconsideration and examination of the present application is respectfully requested in view of the following remarks. Prior to entry of this response, Claims 1-22 were pending in the application, of which Claims 1, 5, 9, and 13 are independent. In the Office Action dated October 18, 2006, Claims 1-4 and 15-22 were rejected under 35 U.S.C. §103(a) as being unpatentable over "CAST Bobby: Manual for Downloadable Version 2000" (hereinafter, "Bobby"), in view of U.S. Patent No. 6,002,871, issued December 1999 (hereinafter, "Duggan"), and further in view of U.S. Patent No. 6,886,115 B2, issued April 2005 (hereinafter, "Kondoh"). Claims 5-14 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Bobby in view of "xlinkit: A Consistency Checking and Smart Link Generation Service" (hereinafter, "Nentwich"), and further in view of Kondoh. Following this response, new Claims 23-24 have been added to provide claims of varying scope than those initially filed. Claims 16 and 20 have been cancelled. Claims 1-15, 17- 19 and 21-24 remain in this application. Applicants hereby address the Examiner's rejections in turn.

Substance of Interview Summary

PENDING: A telephonic interview occurred between the undersigned, Murrell Blackburn and Examiner Amelia L. Rutledge on Friday, July 7, 2006. The interview covered the rejections to Claims 1-4 and 15-20 under 35 U.S.C. §103(a) as being unpatentable over CAST Bobby: Manual for Downloadable Version 2000, (hereinafter "Bobby"), copyright 1996-2000 Center for Applied Special Technology (CAST), in view of Duggan et al. (hereinafter "Duggan"), U.S. Patent No. 6,002,871, issued December 1999. The interview also covered the rejection to Claims 5-14 under 35 U.S.C. §103(a) were rejected as being unpatentable over Bobby in view of Nentwich et al. (hereinafter "Nentwich"), xlinkit: A Consistency Checking and Smart Link Generation Service, ACM Transactions on Internet Technology, Vol. 2, No. 2, May 2002, p. 151-185.

The undersigned pointed out to the Examiner that Amended Claim 5 is patentably distinguishable over the cited art for at least the reason that it recites, for example, "presenting the analysis data to an application program to correct a definable error in the hypertext document." Amended Claims 1, 9, and 13 each includes a similar recitation.

Application Serial No. 10/672,508
Attorney Docket No. 60001.0396US01/MS303915.1

The Examiner indicated that the amendment and remarks would likely overcome the prior art of record, since the prior art of record used in the rejections taught error detection but did not teach error correction. Specifically, the Examiner indicated that the arguments made by the undersigned have merit, however further examination and/or search is still required. This written response is thus, submitted in follow-up to the telephonic interview for consideration by the Examiner, as it is believed to have placed the application in condition for allowance. Should the Examiner send another Office Action based on new art, Applicants respectfully request another interview to determine what claim amendments would be sufficient for a notice of allowance.

Claim Rejections Under 35 U.S.C. §103(a)

In the Office Action dated October 18, 2006, the Examiner rejected the Claims 1-4 and 15-22 under 35 U.S.C. §103(a) as being unpatentable over “CAST Bobby: Manual for Downloadable Version 2000” (hereinafter, “Bobby”), in view of U.S. Patent No. 6,002,871, issued December 1999 (hereinafter, “Duggan”), and further in view of U.S. Patent No. 6,886,115 B2, issued April 2005 (hereinafter, “Kondoh”). Claims 5-14 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Bobby in view of “xlinkit: A Consistency Checking and Smart Link Generation Service” (hereinafter, “Nentwich”), and further in view of Kondoh. Applicants respectfully traverse this rejection. Independent Claims 1, 5, 9, and 13 have been amended, and Applicants respectfully submit that the amendments overcome the rejections and add no new matter.

Claim 1

Amended Claim 1 is patentably distinguishable over the cited art for at least the reason that it recites, for example, “accepting a user selection of the selected criterion and user input of at least one parameter indicative of compliance with the selected criterion for an analysis of the hypertext document wherein the selected criterion involves finding outdated material, finding offensive material, a name change, and/or finding copyright violations.” Support for the amendment can be found in the specification at least on pages 7-8, lines 31-32 and 1-5 respectively.

Application Serial No. 10/672,508
Attorney Docket No. 60001.0396US01/MS303915.1

In contrast, *Bobby* at least does not disclose wherein the selected criterion involves finding outdated material, finding offensive material, a name change, and/or finding copyright violations. For example, *Bobby* specifically states “*Bobby*...will analyze Web pages for their accessibility to people with disabilities. It will also find HTML compatibility problems that prevent pages from displaying correctly on different Web browsers.” (See page 2, QuickStart) Consequently, because *Bobby* states that it only analyzes Web pages for accessibility issues, *Bobby* cannot disclose selected criterion that involves finding outdated material, finding offensive material, a name change, and/or finding copyright violations none of which involve accessibility issues as recited in amended Claim 1.

Furthermore, *Duggan* does not overcome *Bobby*’s deficiencies. *Duggan* merely discloses a testing tool for testing programs or applications for multiple users that are deployed on a server. (See Abstract.) *Duggan* discloses commands which perform a user function of the application program under test and thus, does not contemplate or suggest testing or analyzing Web pages. The logical commands in *Duggan* perform user function logical operations such as locating text in a response from an application program to analyze or test the application. This is not analogous to analyzing an HTML document without considering how a application responds to an application user function command as disclosed in *Duggan*. (See col. 20, lines 31-40). To the contrary, amended claim one recites analyzing an HTML document for compliance to selected criterion regardless of what application is involved. Responses to applications, as disclosed in *Duggan*, implicate different results based on the application involved whereas amended claim 1 recites compliance to selected criterion and is silent on responding to any application. Consequently, in *Duggan*, accepting a user selection of the selected criterion...for an analysis of the hypertext document where the selected criterion involves finding outdated material, finding offensive material, a name change, and/or finding copyright violations is not disclosed.

Combining *Bobby* with *Duggan* and *Kondoh* would not have lead to the claimed invention because *Bobby*, *Duggan*, and *Kondoh* either individually or in combination, at least do not disclose “accepting a user selection of the selected criterion...for an analysis of the hypertext document where the selected criterion involves finding outdated material, finding offensive

Application Serial No. 10/672,508
Attorney Docket No. 60001.0396US01/MS303915.1

material, a name change, and/or finding copyright violations is not disclosed” as recited by amended Claim 1.

Further, there is no motivation to combine Bobby, which discloses the analysis of Web pages for accessibility issues, with Duggan, which discloses testing applications. The Action states that Bobby and Duggan are analogous art because both are testing tools for web applications. Applicants respectfully disagree and submit that an HTML Web page is not an application. Thus, it would not have been obvious to one of ordinary skill in the art at the time of the invention to apply Duggan to Bobby, because Bobby had no reason to generate test scripts and verify proper execution of user functions in order to analyze HTML Web pages for accessibility to people with disabilities. Accordingly, independent Claim 1 patentably distinguishes the present invention over the cited art, and Applicants respectfully request withdrawal of this rejection.

Dependent Claims

Amended Claim 4 is patentably distinguishable over the cited art for at least the reason that it recites, for example, “presenting compiled summary information based on the selected criterion about a collection of hypertext documents comprising the hypertext document and the other hypertext document thereby identifying what criterion is most problematic with the collection.” Based on claim 1 the selected criterion involves finding outdated material, finding offensive material, a name change, and/or finding copyright violations none of which implicate accessibility issues. In contrast, Bobby explicitly states that it only summarizes access errors in summary reports and thus teaches away from amended claim 4. (See Bobby, page 10, paragraph 3 under Summary Reports).

Amended Claim 15 is also patentably distinguishable over the cited art for at least the reason that it recites, for example, “copying the hypertext documents and storing the copies of the hypertext documents thereby providing a snapshot of each hypertext document at a point in time of analysis.” Although the Action acknowledges that Bobby and Duggan do not teach storing copies, the Action rejected dependent Claim 15 by stating that it would have been obvious to an ordinary skilled artisan to store copies since storing copies of hypertext documents at a point in time for later reference was a common and notoriously well known practice in the art at the time of the invention. To the contrary, Applicants respectfully submit that programs for

Application Serial No. 10/672,508
Attorney Docket No. 60001.0396US01/MS303915.1

web page analysis at the time of the invention did not provide a copy of the web page. Thus, each web page had to be separately specified and tested one web page at a time.

As a result, Applicants respectfully suggest that the Action has failed to make a *prima facie* case of obviousness. In order to make a *prima facie* case of obviousness, the Examiner must set forth prior art which teaches or suggests every claim limitation. See MPEP § 2143. The Action states that Bobby discloses analyzing stored copies on a user's computer. Applicants, respectfully disagree and assert that the section of Bobby cited in support of the Action's assertion only discloses analyzing a "file" on your computer but not on the Internet. This is not a reference to copies but a reference to some URLs referencing files on the computer and some URLs referencing the Internet. (See Bobby, page 8, "Entering a URL to test", para. 1 and 2). Thus, there is nothing in the art cited by the Action that discloses "copying the hypertext documents and storing the copies of the hypertext documents thereby providing a snapshot of each hypertext document at a point in time of analysis," as recited by dependent Claim 15. Accordingly, dependent Claim 15 patentably distinguishes the present invention over the cited art, and Applicants respectfully requests withdrawal of this rejection of dependent Claim 15.

If the Examiner continues to rely on this unsupported contention, Applicants respectfully request the Examiner to provide support. See In re Zurko, 258 F.3d 1379, 59 U.S.P.Q.2d 1693 (Fed. Cir. 2001) (holding that the USPTO must point to some concrete evidence in the record to support core factual findings in a determination of patentability); Memorandum by Stephen G. Kunin, Deputy Commissioner for Patent Examination Policy (February 21, 2002)(stating that it is never appropriate to rely on common knowledge without evidentiary support evidence on which to base rejection); 37 C.F.R. § 1.104 (providing that when a rejection in an application is based on facts within the personal knowledge of an Examiner, the data should be stated as specifically as possible, *and the facts must be supported*, when called for by the applicant); MPEP § 2144.03 (providing that the Examiner may only take official notice of facts outside of the record which are capable of instant and unquestionable demonstration as being "well-known" in the art and, if the Applicant traverses such an assertion, the Examiner *should cite a reference* in support of his or her position).

Amended claim 17 is patentably distinguishable over the cited art for at least the reason that it recites, for example, "terminating the analysis in response to a predetermined number of

Application Serial No. 10/672,508
Attorney Docket No. 60001.0396US01/MS303915.1

hypertext documents being analyzed independent of whether any specified link level has been reached.” The Action cites pages 8 and 9 of Bobby in support of asserting that Bobby discloses claim 17 “as specified by link level.” Applicants, respectfully submit that Bobby does not disclose terminating the analysis at a number of documents being analyzed regardless of a specified link level as recited in claim 17. (See Bobby, pages 8 and 9).

Amended Claim 18 is patentably distinguishable over the cited art for at least the reason that it recites, for example, “storing a record of each hypertext document accessed for analysis to prevent previously accessed hypertext documents from being accessed and stored again due to being referenced by another hypertext document.” As described above with respect to amended claim 15, Bobby does not disclose analyzing stored copies of hypertext documents. Further, page 9 of Bobby “Reanalyzing pages that have changed” does not disclose preventing previously accessed documents from being accessed and stored again when referenced by another document. Bobby only discloses storing dates that pages were last modified in order to redo the analysis if the page changes in the future. These dates will not prevent access and storage again if the document is referenced by more than one hypertext document. If the document is referenced by another hypertext document, Bobby will act according to “Choosing the scope of site analysis” pages 8-9 where links are followed according to the dropdown menu options not dates of last modification.

Dependent Claims 2-4 and 15, 17-19, and 21-22 are also allowable for at least the reasons described above regarding independent Claim 1. Accordingly, Applicants respectfully request withdrawal of this rejection of dependent Claims 2-4 and 15 and 17-19, and 21-22.

Claims 5-14

Also in the Office Action, Claims 5-14 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Bobby in view of “xlinkit: A Consistency Checking and Smart Link Generation Service” (hereinafter, “Nentwich”), and further in view of Kondoh. Applicants respectfully traverse this rejection. Claims 5, 9, 13 have been amended, and Applicants respectfully submit that the amendments overcome this rejection and add no new matter.

Amended Claim 5 is patentably distinguishable over the cited art for at least the reason that it recites, for example, “selected criterion involving finding outdated material, finding offensive material, detecting undesirable links, spell checking, a name change, and finding

Application Serial No. 10/672,508
Attorney Docket No. 60001.0396US01/MS303915.1

copyright violations,” none of which involve accessibility issues. Amended Claim 13 includes a similar recitation. Support for the amendments can be found in the specification at least on pages 7-8, lines 31-32 and 1-5 respectively.

As described above with respect to amended Claim 1, *Bobby* specifically states “Bobby...will analyze Web pages for their accessibility to people with disabilities. (See page 2, QuickStart) Thus, because *Bobby* states that it only analyzes Web pages for accessibility issues and because *Nentwich* and *Kondoh* do not overcome *Bobby*’s deficiencies, neither *Bobby*, *Nentwich*, or *Kohdoh* alone, or in combination, disclose or suggest selected criterion as recited in amended Claim 5.

Amended claim 9 is also patentably distinguishable over the cited art for at least the reason that it recites, for example, “accepting a user selection of the selected criterion and a user input at a client terminal, the user input having a parameter indicative of compliance with the selected criterion for an analysis of the hypertext document where the parameter includes correct spelling of a word when the selected criterion involves spell checking, relevant text, sound, or figures when the selected criterion involves finding copyright violations, acceptable links when the selected criterion involves detecting undesirable links, a previous name when the selected criterion involves a name change, or updated text when the selected criterion involves outdated material.”

In contrast, as described above with respect to amended Claim 1, *Bobby* specifically states “Bobby...will analyze Web pages for their accessibility to people with disabilities. (See page 2, QuickStart) Thus, because *Bobby* states that it only analyzes Web pages for accessibility issues and because *Nentwich* and *Kondoh* do not overcome *Bobby*’s deficiencies, neither *Bobby*, *Nentwich*, or *Kohdoh* alone, or in combination, disclose or suggest the parameter as recited in amended Claim 9.

Accordingly, independent Claims 5, 9, and 13 each patentably distinguishes the present invention over the cited art, and Applicants respectfully request withdrawal of this rejection.

Dependent Claims 6-8, 10-12, and 14 are also allowable for at least the reasons described above regarding independent Claims 5, 9, and 13. Accordingly, Applicants respectfully request withdrawal of this rejection of dependent Claims 6-8, 10-12, and 14.

Application Serial No. 10/672,508
Attorney Docket No. 60001.0396US01/MS303915.1

Conclusion

In view of the foregoing remarks, Applicants respectfully request the reconsideration and reexamination of this application and the timely allowance of the pending claims. The preceding arguments are based only on the arguments in the Office Action, and therefore do not address patentable aspects of the invention that were not addressed by the Examiner in the Office Action. The claims may include other elements that are not shown, taught, or suggested by the cited art. Accordingly, the preceding argument in favor of patentability is advanced without prejudice to other bases of patentability. Furthermore, the Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicants decline to automatically subscribe to any statement or characterization in the Action.

Please grant any extensions of time required to enter this response and charge any additional required fees to deposit account 13-2725.

Respectfully submitted,

MERCHANT & GOULD, L.L.C.
P.O. Box 2903
Minneapolis, Minnesota 55402-0903
(404) 954-5100

Date: December __, 2006

Murrell W. Blackburn
Reg. No. 50,881

